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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,516	12/17/2003	Wen-Chien Chen	MR1111-1121	4323
4586	7590	05/19/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			NGUYEN, SON T	
			ART UNIT	PAPER NUMBER
			3643	
DATE MAILED: 05/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/736,516

Applicant(s)

CHEN, WEN-CHIEN

Examiner

Son T. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

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## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 3 & 5 are objected to because of the following informalities: in claim 3, line 3, "a front and rear ends" should be changed to ---front and rear ends---. In claim 5, line 2, "a front and rear ends" should be changed to ---front and rear ends---.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5749321 (herein 321).

For claim 1, 321 discloses an auto-deodorant animal cabinet comprising an open front end and a plurality of partitions 1C, 1D, each partition comprising a slanting board 7, two sides of each slanting board being connected to a water inlet pipe 8B and a water outlet 9B connected to a water inlet 8A and an exhaust pipe 9, each layer of said cabinet comprising a plurality of cages S, said cabinet comprising at a back wall a plurality of slots 16a (col. 9, lines 59-65) corresponding to each cage, a fan box 2 covering all said slots, said fan box comprising a ventilation pipe 3 with a fan 4 (col. 9, lines 59-65). However, 321 is silent about the exhaust pipe being connected to a processing device for grinding process. It would have been obvious to one having

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ordinary skill in the art at the time the invention was made to employ a processing device for grinding process in the cabinet of 321, for such equipment is notoriously well known in the art to grind animal waste into fine particles so as to allow easier processing at the sewage plant.

For claim 2, 321 discloses wherein each layer of said cabinet comprises rails 31,27,19 on an inner top wall (see figs. 5 or 12).

For claim 3, 321 discloses each cage comprises an open top end and two strips at two top sides corresponding to said rails, each cage having two plates on two sides and grids on a front and rear ends and a bottom thereof (see figs. 6 or 9).

For claim 4, 321 discloses wherein a lower end of each slanting board is connected to said exhaust pipe (see fig. 1, slanting boards are in phantom).

For claim 5, 321 discloses wherein each slanting board is designed in a slanting surface with a high position at a front and rear ends and a lower position at a center (see figs. 2-4).

For claim 6, 321 discloses wherein each slanting board has higher positions at two sides and a lower position at the center thereof (see fig. 4).

4. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over US 5749321 (herein 321) in view of US 5213059 (herein 059) and US 3924571 (herein 571).

059 teaches an animal cabinet 1 wherein each layer of the cabinet is covered with a transparent door 7 with a lock thereat. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a transparent door

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with a lock as taught by 059 in the cabinet of 321 in order to provide, not only closure for each of the cage, but to also allow viewing of the interior of the cage due to transparency of the door.


571 teaches an animal cabinet 1 wherein each layer of the cabinet is covered with a transparent door 158 with a hole 156. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ include a hole in the transparent door with a lock of 321 as modified by 059 in order to relieve interior chamber pressure and allow air to be discharged from the interior of the cage at a controlled rate (col. 7, lines 30-33). In addition, it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ as many holes as required in the door of 321 as modified by 059 and 571, depending on how much pressure and air one wishes to discharge from the interior of the cage.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son T. Nguyen whose telephone number is (703) 305-0765. The examiner can normally be reached on Monday - Friday from 9:00 a.m. to 5:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon, can be reached at (703) 308-2574. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (703) 872-9325. The official fax number is 703-872-9306.

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Son T. Nguyen  
Primary Examiner, GAU 3643  
May 14, 2004